

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ALISSA BRACKIN,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
VS.)	
)	3:09-CV-0135-G
GORDON & REES, LLP and)	
MATTHEW MURPHEY)	ECF
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

This court is required to examine the basis for its subject matter jurisdiction, on its own motion if necessary. *Torres v. Southern Peru Copper Corp.*, 113 F.3d 540, 542 (5th Cir. 1997). Diversity of citizenship is alleged as the basis for subject matter jurisdiction in this case. Plaintiff's Original Complaint and Jury Demand ¶ 4. The plaintiff is alleged to be "a resident of Dallas, Dallas County, Texas." *Id.* ¶ 1. The individual defendant Matthew Murphey is alleged to be "a California resident." *Id.* ¶ 2. The citizenship of these parties is not otherwise alleged. "It is established that

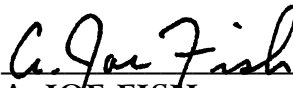
an allegation of residency does not satisfy the requirement of an allegation of citizenship.” *Strain v. Harrelson Rubber Co.*, 742 F.2d 888, 889 (5th Cir. 1984).

Diversity of citizenship jurisdiction requires that the citizenship of the plaintiff must be different from the citizenship of each defendant. *Strawbridge v. Curtiss*, 7 U.S. 267 (1806). Generally, the citizenship of artificial entities other than corporations is determined by the citizenship of their members. See *Carden v. Arkoma Associates*, 494 U.S. 185 (1990). This rule applies to limited liability partnerships such as the defendant Gordon & Rees, LLP.

Within ten days of this date, the plaintiff shall file and serve an amended complaint alleging the citizenship of all the parties, including the citizenship and names of each partner (general and limited) of the defendant Gordon & Rees, LLP. Failure to timely file and serve such an amended complaint will result in dismissal of this case, without further notice, for lack of subject matter jurisdiction.

SO ORDERED.

January 22, 2009.



A. JOE FISH
Senior United States District Judge